

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

HICHAM GOUFAL,

Plaintiff,

- *against* -

THE CITY OF NEW YORK, THE NEW YORK CITY
BOARD OF EDUCATION, THE NEW YORK CITY
DEPARTMENT OF EDUCATION, VALLO
TRANSPORTATION LTD. and GREGORY MURPH,

Defendants.

Docket No.:

NOTICE OF REMOVAL

Defendants demand trial by jury

**To: THE JUDGES OF THE
UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK:**

Defendants Vallo Transportation Ltd. and Gregory Murph (hereafter “Vallo Defendants”), by their attorneys, Lifflander & Reich LLP, allege, upon information and belief, as follows:

1. Plaintiff, Hicham Goufal (“Plaintiff”), has commenced an action in Supreme Court, Kings County against defendants, The City of New York, The New York City Board of Education, The New York City Department of Education, Vallo Transportation Ltd. and Gregory Murph, entitled *Hicham Goufal v. The City of New York et al.*, Kings County Index No. 516621/2020. A true copy of the Summons and Complaint is annexed hereto as **Exhibit “A.”**

2. The above-entitled action is one which this Court has original jurisdiction under the provisions of 28 U.S.C. § 1332 as one which may be removed to this Court,

pursuant to 28 U.S.C. § 1441, in that it is a civil action and the matter in controversy (amount sought by plaintiff) exceeds the sum of seventy five thousand dollars (\$75,000.00), exclusive of interest and costs, and is between citizens of different states.

3. The complaint alleges that due to defendants' negligence, plaintiff was caused to sustain personal injuries and damages as a result of an automobile accident. In the Summons and Complaint, plaintiff alleges that he resides in Stratford, Connecticut. Plaintiff alleges that defendant Vallo Transportation Ltd. is a New York Corporation, and that defendant Gregory Murph resides in Brooklyn, New York. Vallo Defendants admit both these allegations. The other defendants are all New York City municipal entities.

4. Defendant Vallo Transportation Ltd. is a New York Domestic Professional (Profit) Corporation with a principal place of business at 151-17 6th Road, Whitestone, NY 11357. Defendant Gregory Murph is a New York resident and resides at 2630 Linden Boulevard, Apartment 4-E, Brooklyn, NY 11208.

5. The Summons and Complaint was served upon defendant Gregory Murph within the past thirty (30) days. Therefore, removal is timely under 28 U.S.C. § 1446.

6. Accordingly, this Court has subject matter jurisdiction in this action pursuant to 28 U.S.C. § 1332, and Vallo Defendants are entitled to remove this action pursuant to 28 U.S.C. §§ 1441 and 1446. Vallo Defendants respectfully request that the action now pending against them in the Supreme Court of the State of New York, County of Kings, be removed therefrom to this Court.

7. Vallo Defendants demand a trial by jury.

WHEREFORE, defendants Vallo Transportation Ltd. and Gregory Murph hereby give notice of the removal of plaintiff Hicham Goufal's action to this Court pursuant to U.S.C. §§ 1441 and 1446, and respectfully request that this action be duly removed to this Court, and this Court accept jurisdiction of this action and henceforth that this action be placed on the docket of this Court for further proceedings, the same as though this action had originally been instituted in this Court.

Dated: New York, New York
November 23, 2020

Lifflander & Reich LLP

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